



Senate

General Assembly

File No. 520

February Session, 2004

Substitute Senate Bill No. 357

Senate, April 8, 2004

The Committee on Education reported through SEN. GAFFEY of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING CHILDHOOD OBESITY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2004*) Each local and regional
2 board of education shall ensure that (1) each child in the schools under
3 its jurisdiction is provided with an opportunity for a lunch break that
4 is a minimum of twenty minutes every full school day, and (2) each
5 child in grades kindergarten to five, inclusive, in the schools under its
6 jurisdiction, has the opportunity for physical activity for a minimum of
7 twenty minutes every full school day or a minimum of one hundred
8 minutes every full school week, except that the planning and
9 placement team may develop a different schedule for a child requiring
10 special education and related services, in accordance with chapter 164
11 of the general statutes and the Individual With Disabilities Education
12 Act, 20 USC 1400 et seq., as may be amended from time to time.

13 Sec. 2. (NEW) (*Effective July 1, 2004*) On and after September 1, 2004,
14 each local and regional board of education shall require the schools

15 under its jurisdiction to make available for purchase dairy products,
16 including low-fat dairy products, water, one hundred per cent fruit
17 juices and fresh or dried fruit at all times when food or drink is
18 available for purchase in school buildings.

19 Sec. 3. Subsection (a) of section 10-266w of the general statutes is
20 repealed and the following is substituted in lieu thereof (*Effective July*
21 *1, 2004*):

22 (a) For each fiscal year, each local and regional board of education
23 having at least one school building designated as a severe need school,
24 as defined by federal law governing school nutrition programs, in the
25 fiscal year two years prior to the grant year, shall be eligible to receive
26 a grant to assist in providing school breakfasts to all students in each
27 eligible severe need school, provided any local or regional board
28 having at least one school building so designated shall participate in
29 the federal school breakfast program on behalf of all severe need
30 schools in the district with grades eight or under in which at least
31 [eighty] forty per cent of the lunches served are served to students who
32 are eligible for free or reduced price lunches pursuant to federal law
33 and regulations.

This act shall take effect as follows:	
Section 1	<i>July 1, 2004</i>
Sec. 2	<i>July 1, 2004</i>
Sec. 3	<i>July 1, 2004</i>

ED *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 05 \$	FY 06 \$
Various Local and Regional School Districts	Revenue Loss	\$100,000	\$100,000
Various Local and Regional School Districts	Revenue Gain	\$100,000	\$100,000

Explanation

Section 3 of the bill results in a revenue loss to school districts currently participating in the School Breakfast Program of approximately \$100,000 if no additional funds are provided in the grant program. Current funding of the program is \$1.48 million. The revenue loss of \$100,000 would be a revenue gain to the school districts that would be new to the program. Each new participant would receive \$3,000 in base aid (like current participants) plus approximately \$0.10 per meal served. The currently participating districts would incur a reduction in their per meal grant due to the new participants. The percentage reduction in aid to currently participating districts would be approximately 6.7%.

All other sections of the bill have no fiscal impact.

OLR BILL ANALYSIS

sSB 357

AN ACT CONCERNING CHILDHOOD OBESITY**SUMMARY:**

This bill requires school boards to:

1. provide all students with the opportunity for a minimum 20-minute daily lunch break;
2. provide most students in kindergarten through grade five with the opportunity for at least 20 minutes of daily or 100 minutes of weekly physical activity; and
3. beginning September 1, 2004, make dairy products, including low-fat products, water, 100% fruit juices, and fresh and dried fruit available for purchase whenever food or drink can be bought in a school building.

The bill expands the number of schools that must participate in the federal school breakfast program if their school district participates in the state's school breakfast grant program.

EFFECTIVE DATE: July 1, 2004

LUNCH BREAKS AND PHYSICAL ACTIVITY

The bill requires local and regional school boards to ensure that each student under their jurisdiction has the opportunity to take at least a 20-minute lunch break every full school day. It requires them to give each student in kindergarten through fifth grade the opportunity for at least 20 minutes of physical activity every full school day or 100 minutes every full school week. But it allows a planning and placement team to develop a different physical activity schedule for an identified special education student.

SCHOOL BREAKFAST PARTICIPATION

The bill expands the number of schools that must participate in the federal school breakfast program if their school board wishes to participate in the state's school breakfast grant program. It does this by lowering the threshold that triggers schools' mandatory participation in the federal program.

Currently, as a condition of eligibility for the state breakfast grants, school boards that have one school designated as "severe need" must participate in the federal breakfast program for all their severe need schools with grades eight or under in which at least 80% of school lunches are served to students eligible for free or reduced price meals. The bill lowers this threshold to 40% of lunches served, which is the federal criterion for severe need designation.

BACKGROUND

Federal and State School Breakfast Programs

Under federal law, schools are designated as "severe need" if 40% or more of the lunches served there two years previously went to students who received free or reduced price meals. These schools receive a higher meal reimbursement for breakfast than non-severe need schools (23 cents more in 2003-04) (42 USC 1774).

The State Department of Education provides, within available funds, grants of \$3,000 for each severe need school in a district that provides a breakfast program plus 10 cents per breakfast served in those schools. The latter grant component is reduced proportionately if sufficient funds are not available (CGS § 10-266w (c)).

Related Bills

HB 5344 (file 405), reported favorably by the Children's and Education committees, contains the same lunch break, physical activity, and alternate food product requirements as this bill.

Legislative History

The Senate referred this bill (file 114) to the Education Committee on March 24. That committee reported this substitute, which eliminates a pilot program to study whether to include a diabetes assessment in the health assessment required before children can enroll in school.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 15 Nay 7

Education Committee

Joint Favorable Substitute

Yea 12 Nay 10